

IN HONOR OF GEORGE SMITH

HON. JOHN H. ADLER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. ADLER of New Jersey. Madam Speaker, I would like to congratulate an important member of New Jersey's 3rd District, Mr. George Smith. Mr. Smith, 79, was awarded the Nobel Prize in physics for his work developing technology that is the basis of digital photography.

Mr. Smith worked at Bell Laboratories until his retirement in 1986. He was born in 1930 in White Plains, New York, served in the United States Navy, and briefly studied mathematics before switching to physics. In 1959, he earned his Ph.D. from the University of Chicago. Mr. Smith currently resides in Waretown in Ocean County, NJ.

George Smith was awarded the 2009 Nobel Prize in physics along with colleague Willard Boyle for their work creating an image semiconducting circuit, or charge coupled device, CCD. Their research laid the foundation for digital images and lightning-fast communication by developing fiber-optic cable and the sensor found at the heart of digital cameras. They share their prize with Hong Kong professor Kuen Kao for his work on fiber optics.

Madam Speaker, I ask that my colleagues join me in commending Mr. George Smith for his much deserved Nobel Prize. May his dedication and innovative thinking serve as a model for all those who seek to achieve original solutions within their respective fields.

HONORING THOMAS O'BRIEN UPON
BEING NAMED THE NEW YORK
STATE PRINCIPAL OF THE YEAR

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. ISRAEL. Madam Speaker, I rise today to acknowledge the accomplishments of my constituent, Brentwood High School Principal Thomas O'Brien.

Mr. O'Brien has been recognized as the New York State Principal of the Year by the School Administrators Association of New York State. This award is given annually to a school administrator "who has set the pace, character, and quality of education for the children in his or her school."

Mr. O'Brien has served as an educator for 38 years, 14 in his current position—all within the Brentwood School District. He was recognized for his outstanding work at Brentwood High School, where he worked successfully to move the school from the New York State Department of Education's list of "Schools in Need of Improvement" to the list of "Schools in Good Standing."

I congratulate him on this accomplishment and applaud his long record of contributions to education on Long Island.

REGARDING S. 1707, THE ENHANCING PARTNERSHIP WITH PAKISTAN ACT OF 2009

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. BERMAN. Madam Speaker, the following is an explanation of S. 1707, the Enhanced Partnership with Pakistan Act of 2009. The final text of the legislation reflects an agreement reached by the Senate Committee on Foreign Relations and the House Committee on Foreign Affairs. The purpose of this Explanatory Statement is to facilitate accurate interpretation of the text and to ensure faithful implementation of its provisions in accordance with the intentions of the legislation.

The core intent of the Enhanced Partnership with Pakistan Act is to demonstrate the American people's long-term commitment to the people of Pakistan. The United States values its friendship with the Pakistani people and honors the great sacrifices made by Pakistani security forces in the fight against extremism, and the legislation reflects the goals shared by our two governments.

The legislation does not seek in any way to compromise Pakistan's sovereignty, impinge on Pakistan's national security interests, or micromanage any aspect of Pakistani military or civilian operations. There are no conditions on Pakistan attached to the authorization of \$7.5 billion in non-military aid. The only requirements on this funding are financial accountability measures that Congress is imposing on the U.S. executive branch, to ensure that this assistance supports programs that most benefit the Pakistani people.

SUMMARY OF CONGRESSIONAL INTENT

The Enhanced Partnership with Pakistan Act of 2009 (the "Act") establishes a legislative foundation for a strengthened partnership between the United States and Pakistan, based on a shared commitment to improving the living conditions of the people of Pakistan through strengthening democracy and the rule of law, sustainable economic development, and combating terrorism and extremism. It is the intent of Congress to strengthen the long-term people-to-people relationship between the United States and Pakistan by investing directly in the needs of the Pakistani people. This legislation is intended to fortify a lasting partnership with Pakistan based on mutual trust.

The overall level of economic assistance authorized annually by this legislation is tripled over FY 2008 U.S. funding levels, with the bulk of aid intended for projects such as schools, roads, medical clinics, and infrastructure development. The funds directly authorized by this Act—\$1.5 billion in economic and development assistance annually for five years, with a similar amount envisioned for a subsequent five years—place no conditions on the Government of Pakistan. The only requirements are accountability measures placed on the United States executive branch to ensure that the aid directly benefits the Pakistani people.

This Act fully recognizes and respects the independence of Pakistan as a sovereign nation. The purpose of this Act is to forge a closer collaborative relationship between Pakistan and the United States, not to dictate the na-

tional policy or impinge on the sovereignty of Pakistan in any way. Any interpretation of this Act which suggests that the United States does not fully recognize and respect the sovereignty of Pakistan would be directly contrary to Congressional intent.

The certifications in the Act regarding certain limited forms of security assistance are consistent with previous Congressional legislation regarding security assistance to Pakistan and other nations. In all cases, they align with the aims of, and serve to reinforce the publicly-articulated positions of, the democratically-elected Government of Pakistan, and Pakistani military leaders, to combat extremists and militants.

SECTIONS 1-4: STRENGTHENING A RELATIONSHIP
FOUNDED ON MUTUAL RESPECT

Sections 1-4 establish the framework and context for the legislative provisions that follow. The Findings and the Statement of Principles demonstrate an unequivocal appreciation for the friendship of the Pakistani people, and for the sacrifices made by the Pakistani security forces and people in fighting extremism. The Findings in Section 3 include:

Section 3(1): "Congress finds the following: The people of the Islamic Republic of Pakistan and the United States share a long history of friendship and comity, and the interests of both nations are well-served by strengthening and deepening this friendship."

Section 3(4): "Pakistan is a major non-NATO ally of the United States and has been a valuable partner in the battle against al Qaeda and the Taliban, but much more remains to be accomplished by both nations. The struggle against al Qaeda, the Taliban, and affiliated terrorist groups has led to the deaths of several thousand Pakistani civilians and members of the security forces of Pakistan over the past seven years."

The Statement of Principles in Section 4 include:

Section 4(1): "Pakistan is a critical friend and ally to the United States, both in times of strife and in times of peace, and the two countries share many common goals, including combating terrorism and violent radicalism, solidifying democracy and rule of law in Pakistan, and promoting the social and economic development of Pakistan."

Section 4(4): "The United States supports Pakistan's struggle against extremist elements and recognizes the profound sacrifice made by Pakistan in the fight against terrorism, including the loss of more than 1,900 soldiers and police since 2001 in combat with al Qaeda, the Taliban, and other extremist and terrorist groups."

TITLE I: DEMOCRATIC, ECONOMIC AND DEVELOPMENT
ASSISTANCE FOR PAKISTAN

This Title contains the core intention of this legislation: To make a long-term commitment to the people of Pakistan by tripling non-military assistance, free of any conditions on the Pakistani government. The purposes set forth for the \$7.5 billion that is authorized here are all intended to reflect the expressed priorities of the Pakistani people. Specifically, Section 101(a) provides that:

"The President is authorized to provide assistance to Pakistan to support the consolidation of democratic institutions; to support the expansion of rule of law, build the capacity of government institutions, and promote respect for internationally-recognized human rights; to promote economic freedoms and sustainable economic development; to support investment in people, including those displaced in on-going counterinsurgency operations; and to strengthen public diplomacy."

The funds authorized under Title I are intended to be used to work with and benefit Pakistani organizations. Specifically, Section 101(c)(3) provides that:

“The President is encouraged, as appropriate, to utilize Pakistani firms and community and local nongovernmental organizations in Pakistan, including through host country contracts, and to work with local leaders to provide assistance under this section”

Section 102(a) makes clear that there are no conditions placed on the Pakistani government for delivery of the \$7.5 billion in assistance. The only accounting requirements are of the U.S. executive branch.

Section 102(d) makes clear that a long term commitment to increased civilian assistance for the people of Pakistan is envisioned by stating that it is the desire of Congress that the amounts authorized for fiscal years 2010–2014 shall continue from fiscal years 2015–2019.

Section 103(b) authorizes establishment of field offices for Inspectors General to audit and oversee expenditure of this assistance. It is the intent of Congress that such offices would be established in consultation with appropriate Pakistani authorities for the purpose of ensuring optimal management of resources.

TITLE II: SECURITY ASSISTANCE FOR PAKISTAN

The intention of this section is to strengthen cooperative efforts to confront extremism. The purposes of security assistance are intended to be completely cooperative, and reflect the intention that such assistance be used to support Pakistan in achieving its stated objectives in winning the ongoing counterinsurgency, defeating terrorist organizations that threaten Pakistan, and strengthening democratic institutions. Specifically, Section 201(1) “Purposes of Assistance” states that:

“The purposes of assistance under this title are—

(1) to support Pakistan’s paramount national security need to fight and win the ongoing counterinsurgency within its borders in accordance with its national security interests;

(2) to work with the Government of Pakistan to improve Pakistan’s border security and control and help prevent any Pakistani territory from being used as a base or conduit for terrorist attacks in Pakistan, or elsewhere;

(3) to work in close cooperation with the Government of Pakistan to coordinate action against extremist and terrorist targets; and

(4) to help strengthen the institutions of democratic governance”

The provisions applied to certain limited portions of U.S. security assistance in Section 203 are intended to be fully in line with the existing policy of the Government of Pakistan. Specifically, Section 203(c)(1) reflects our understanding that cooperative efforts currently being undertaken by the Governments of Pakistan and the United States to combat proliferation will continue.

Section 203(c)(2) reflects the intent that U.S. security assistance is used in furtherance of the purposes set forth in Section 201 above, e.g., ensuring Pakistan’s security, winning the counterinsurgency within Pakistan, preventing territory from being used for terrorist attacks in Pakistan and elsewhere, and coordinating action against extremist and terrorist targets. This section requires a certification by the United States executive branch

to Congress regarding the efforts and progress made in achieving these purposes, and includes a series of factors to be considered collectively by the Secretary of State in making this assessment.

Section 203(c)(3) includes a provision intended to express support for democratic institutions in Pakistan.

Section 203(e) contains a waiver making clear that this certification could be waived if the determination is made by the Secretary of State in the interests of national security that this was necessary to continue such assistance.

TITLE III. STRATEGY, ACCOUNTABILITY, MONITORING, AND OTHER PROVISIONS.

The intention of this section is to ensure that there is transparency and accountability in the way authorized assistance is spent. This Title requires the U.S. executive branch to provide various reports to Congress designed to demonstrate that funds are being used for the purposes set forth in Title I and Title II; there are no requirements on the Government of Pakistan.

Section 301 “Strategy Reports” requires three reports from the United States executive branch that detail a plan for how U.S. assistance to Pakistan will be spent and evaluated and a regional security plan for how the United States can best work with its partners for “effective counterinsurgency and counterterrorism efforts.”

Section 302 “Monitoring Reports” reflects the need for ongoing consultation between the U.S. executive branch and Congress on monitoring U.S. assistance to Pakistan, including a “Semi-Annual Monitoring Report” where:

The Secretary of State, in consultation with the Secretary of Defense, shall submit to the appropriate congressional committees a report that describes the assistance provided under this Act during the preceding 180-day period.

The many requirements of this report are intended as a way for Congress to assess how effectively U.S. funds are being spent, shortfalls in U.S. resources that hinder the use of such funds, and steps the Government of Pakistan has taken to advance our mutual interests in countering extremism and nuclear proliferation and strengthening democratic institutions.

There is no intent to, and nothing in this Act in any way suggests that there should be, any U.S. role in micromanaging internal Pakistani affairs, including the promotion of Pakistani military officers or the internal operations of the Pakistani military.

The reports envisioned in this Section are not binding on Pakistan, and require only the provision of information by the executive branch to the U.S. Congress, in furtherance of the Act’s stated purpose of strengthening civilian institutions and the democratically-elected Government of Pakistan.

PERSONAL EXPLANATION

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. BECERRA. Madam Speaker, I was unavoidably detained last evening and missed rollcall 773. If present, I would have voted “yea.”

IRAN SANCTIONS ENABLING ACT OF 2009

SPEECH OF

HON. MARK STEVEN KIRK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 13, 2009

Mr. KIRK. Mr. Speaker, as the lead Republican sponsor of H.R. 1327, the Iran Sanctions Enabling Act, I rise in strong support and urge my colleagues to pass this bill.

We know that certain international corporations still invest billions of dollars in Iran’s energy sector—in effect, subsidizing the regime’s nuclear program. If states and local municipalities want to divest public funds from investments in such companies, the Federal Government should support their decisions.

The Iran Sanctions Enabling Act would authorize state and local governments to divest from firms with investments of \$20 million or more in Iran’s energy industry. Arizona, California, Florida, Georgia, Illinois, Louisiana, Maryland, Michigan, Indiana, New Jersey, Colorado, New York, Ohio, Texas, and Washington have all enacted some form of divestment laws. The Iran Sanctions Enabling Act would encourage more states and local communities to take similar action.

With Iranian uranium enrichment accelerating—and the recent disclosure of a secret uranium enrichment site at Qom—the window for effective diplomacy is starting to close. To avoid conflict, we must pass effective sanctions and provide our diplomats with greater leverage. H.R. 1327 is a good first step—but it cannot be the last. I urge Speaker Pelosi and Chairman Berman to move H.R. 2194, the Iran Refined Petroleum Sanctions Act, to the floor for immediate consideration. This legislation, modeled after my Iran Sanctions Enhancement Act of 2007 and Iran Diplomatic Enhancement Act of 2009, would extend current sanctions to companies that supply gasoline to Iran. Iran’s dependence on foreign gasoline remains its greatest weakness—and offers the greatest hope for diplomacy to succeed.

In addition, the President must take steps to fully implement current law. The Iran Sanctions Act was enacted in 1996 as an important measure to deny Iran the resources to further its nuclear program and to support terrorist organizations. According to the law, a firm that invests more than \$20 million in Iran’s energy sector is determined to be a violator, and is subject to a range of sanctions. The Congressional Research Service has identified more than 20 firms that likely violate the Iran Sanctions Act. Nevertheless, no Administration has ever enforced this law. I urge my colleagues to sign the Kirk-Klein letter to President Obama urging him to enforce the Iran Sanctions Act without delay.

EARMARK DECLARATION

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. DUNCAN. Madam Speaker, consistent with House Republican Earmark Standards, I am submitting the following earmark disclosure information for project requests that I